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Attorney Docket No. 23439-051-701

# **REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY**

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter that is described and claimed in patent number 5,812,249, granted September 22, 1998, and for which a reissue patent is sought on the invention entitled, "SPEED AND ACCELERATION MONITORING DEVICE USING VISIBLE LASER BEAMS," the specification of which was filed on September 22, 2000, along with a concurrently filed Preliminary Amendment, and have been assigned reissue application number 09/667,693.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the Preliminary Amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than they had the right to claim in the patent.

At least one error upon which reissue is based is the unnecessary limitation of "visible" which was included in claims 1, 2, 5, 7 and 9.

Every error corrected in this reissue application, including all errors corrected in the Preliminary Amendment referred to above, arose without any deceptive intention on the part of the applicants.

We hereby appoint the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number



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to prosecute this application and to transact all business in the Patent and Trademark Office.

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Please address all telephone calls to James G. Gatto, at telephone number 703-464-8182, and address all correspondence to:



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I hereby declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the declaration is directed.

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Signature\_\_\_\_\_

Date\_\_\_\_\_

First Inventor: **James H. Johnson**

Residence: 4401 W. Crestview Road, Tucson, Arizona 85745

Post Office Address: Same

Citizenship: U.S.A.

Signature\_\_\_\_\_

Date\_\_\_\_\_

Other Inventor: **John Di Domenico**

Residence: 8810 E. Bear Paw Place, Tucson, Arizona 85749

Post Office Address: Same

Citizenship: U.S.A.

JOINT DECLARATION FOR PATENT APPLICATION

(ADDED PAGE)

I, Laurence D. Hurwitz, Esquire, hereby declare that:

Envirotest Systems Corporation is the former employer of the above-named inventors.

Envirotest Systems Corporation is assigned the entire right, title and interest in the above-identified patent by virtue of a chain of title from the inventors. The assignment document is recorded in the USPTO at Reel 8324, Frame 0932.

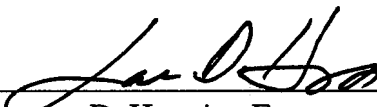
I am authorized to execute this Joint Declaration by the entity having sufficient proprietary interest and having a place of business at the following address:

Envirotest Systems Corporation  
11 Kripes Road  
East Granby, CT 06026-9720  
United States of America

By virtue of this proprietary interest, I sign this REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY on behalf of, and as an agent for, the above-listed inventors who have refused to sign and/or cannot be found or reached and whose last known address is listed above.

Upon information and belief, and in accordance with 37 C.F.R. § 1.64(b), I aver those facts that the inventors are required to state.

Signature

  
Laurence D. Hurwitz, Esq.

Date

6/16/03

Title

Vice President, Secretary and General Counsel

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